

21183-P001P1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Raymond Walter Ellis et al.


Serial No.: 09/899,833

Filed: July 5, 2001

Art Unit: 2152

Examiner: Not Assigned

For: AUTOMATED TOOL MANAGEMENT IN A
MULTI-PROTOCOL ENVIRONMENT

CERTIFICATE OF MAILING	
Under 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.	
Signature	
Printed	GRACIE SEGOVIA
Date	September 17, 2001

**APPLICANTS' RESPONSE TO PTO'S NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed August 20, 2001.

- ☒ A copy of the Notice to File Missing Parts of Nonprovisional Application is attached.

DECLARATION AND POWER OF ATTORNEY

2. An executed Combined Declaration and Power of Attorney is hereby attached (5 pages). A late filing fee surcharge as set forth in 37 C.F.R. § 1.16(e) of \$65.00 is due.

FEE AND CALCULATION FOR CLAIMS

3. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

For	Number Filed	Number Extra	Rate Large Entity	Fee Large Entity
Basic Fee				\$ 355.00
Total Claims	42 - 20	22	x 9 =	\$ 198.00
Indep. Claims	6 - 3	3	x 40 =	\$ 120.00
0 MULTIPLE DEPENDENT CLAIM(S) PRESENTED			+ 135 =	\$ 00.00
			TOTAL	\$ 673.00

DRAWINGS

4. In compliance with 37 C.F.R. § 1.84, enclosed please find substitution of drawing sheets. Attached are thirteen (13) formal drawing sheets with the required margins.

PAYMENT OF FEES

5. Enclosed is check in the amount of \$738.00. This amount includes the basic filing fee of \$355.00; \$198.00 for 22 total claims over 20; \$120.00 for 3 independent claims over 3; and surcharge for a late filing fee and declaration under 37 C.F.R. § 1.16(e) of \$65.00. **A photocopy of this request is enclosed.**

However, if the amount indicated above is insufficient, the Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayment, to Account No. 23-2426 (21183-P001P1). **A photocopy of this request is enclosed.**

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

By: Barry S. Newberger
Barry S. Newberger
Reg. No. 41,527

5400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75250-0784
(512) 370-2808

WINSTEAD SECHREST & MINICK P.C. CLIENT ADVANCE ACCOUNT (512) 474-4330 AUSTIN, TEXAS

019463

DATE	INVOICE NUMBER	MEMO	BALANCE
09/14/01	374:21183-P001P1	Filing Fee for Response to NTFMP Client: Domain Logix/CIP	\$738.00
CHECK DATE 09/14/01 CHECK NUMBER 019463			TOTAL \$738.00

ORIGINAL CHECK HAS A COLORED BACKGROUND PRINTED ON CHEMICAL REACTIVE PAPER

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WINSTEAD SECHREST & MINICK
A Professional Corporation
Client Advance Account

100 Congress Avenue
Suite 800
Austin, Texas 78701-4042

Chase Bank of Texas, N.A.
2200 Ross Ave.
Dallas, Texas 75201

32-115
1110

019463

PAY: Seven Hundred Thirty-eight Dollars and 00/100 *****
NUMBER 019463 DATE 09/14/01 AMOUNT \$738.00

TO THE
ORDER
OF
Director of the USPTO

WINSTEAD SECHREST & MINICK P.C.
CLIENT ADVANCE ACCOUNT

AUTHORIZED SIGNATURE

ORIGINAL CHECK HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE-HOLD AT AN ANGLE TO VIEW



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/899,833	07/05/2001	Raymond Walter Ellis	21183-P001P1

CONFIRMATION NO. 9671

FORMALITIES LETTER



OC00000006446328

Winstead Sechrest & Minick P.C.
5400 Renaissance Tower
Dallas, TX 75270-2199

Date Mailed: 08/20/2001

NOTICE TO-FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$318.
 - \$198 for 22 total claims over 20.
 - \$120 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 738.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and

durable (see 37 CFR 1.84(e));

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

AUTOMATED TOOL MANAGEMENT IN A MULTI-PROTOCOL ENVIRONMENT

the specification of which (check one)

- ☐ is attached hereto.
- ☒ was filed on July 5, 2001
as Application Serial No. 09/899,833
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number) (Country) (Day/Month/Year)

☐ Yes ☐ No

I hereby claim priority benefits under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

(Application Serial #)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #)

(Filing Date)

(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Kelly K. Kordzik, Reg. No. 36,571; Barry S. Newberger, Reg. No. 41,527; Robert A. Voigt, Jr., Reg. No. 47,159; Richard F. Frankeny, Reg. No. 47,573; and James J. Murphy, Reg. No. 34,503.

Send correspondence to: Barry S. Newberger, 5400 Renaissance Tower, 1201 Elm Street, Dallas, Texas 75270, and direct all telephone calls to Barry S. Newberger (512) 370-2808.

FULL NAME OF SOLE OR FIRST INVENTOR: **RAYMOND WALTER ELLIS**

INVENTOR'S SIGNATURE: Raymond Walter Ellis DATE: 1 Sept 01

RESIDENCE: **11220 Pinehurst Drive**
Austin, Travis County, Texas 78747

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF SECOND INVENTOR: **MARK THEODORE PENDLETON**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **4624 Cather Avenue**
San Diego, San Diego County, California 92122

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF THIRD INVENTOR: **CHARLES MERRITT BAYLIS**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **1310 Park Ridge Place**
Cincinnati, Hamilton County, Ohio 45243

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

21183-P001P1

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Austin, Travis County, Texas 78747

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF SECOND INVENTOR: **MARK THEODORE PENDLETON**

INVENTOR'S SIGNATURE: *Mark Theodore Pendleton* DATE: 7/4/01

RESIDENCE: **4624 Cather Avenue**
San Diego, San Diego County, California 92122

CITIZENSHIP: **U.S.A.**

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San Diego, San Diego County, California 92122**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

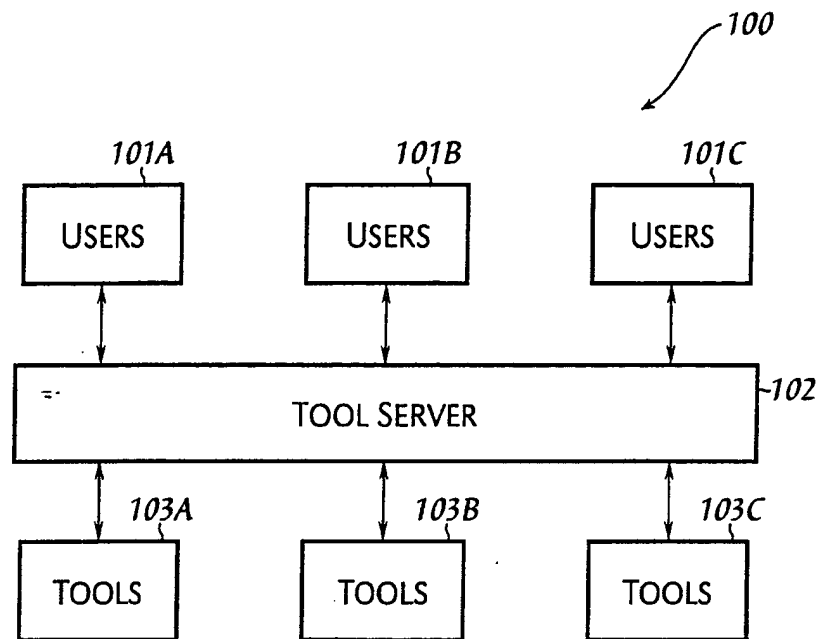
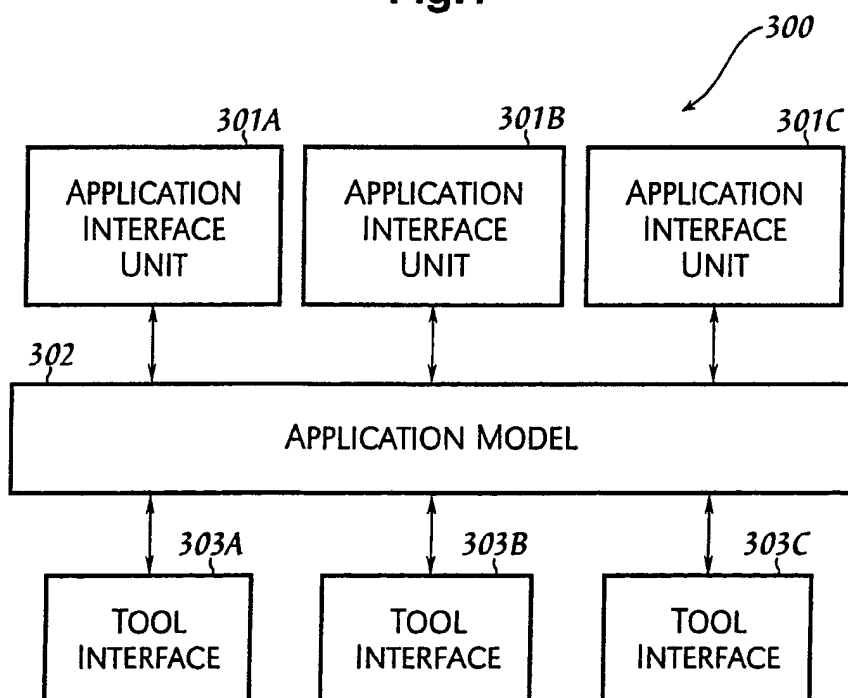
FULL NAME OF THIRD INVENTOR: **CHARLES MERRITT BAYLIS**

INVENTOR'S SIGNATURE: *Charles Merritt Baylis* DATE: 9/02/01

RESIDENCE: **1310 Park Ridge Place
Cincinnati, Hamilton County, Ohio 45243**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

**Fig. 1****Fig. 3**

102

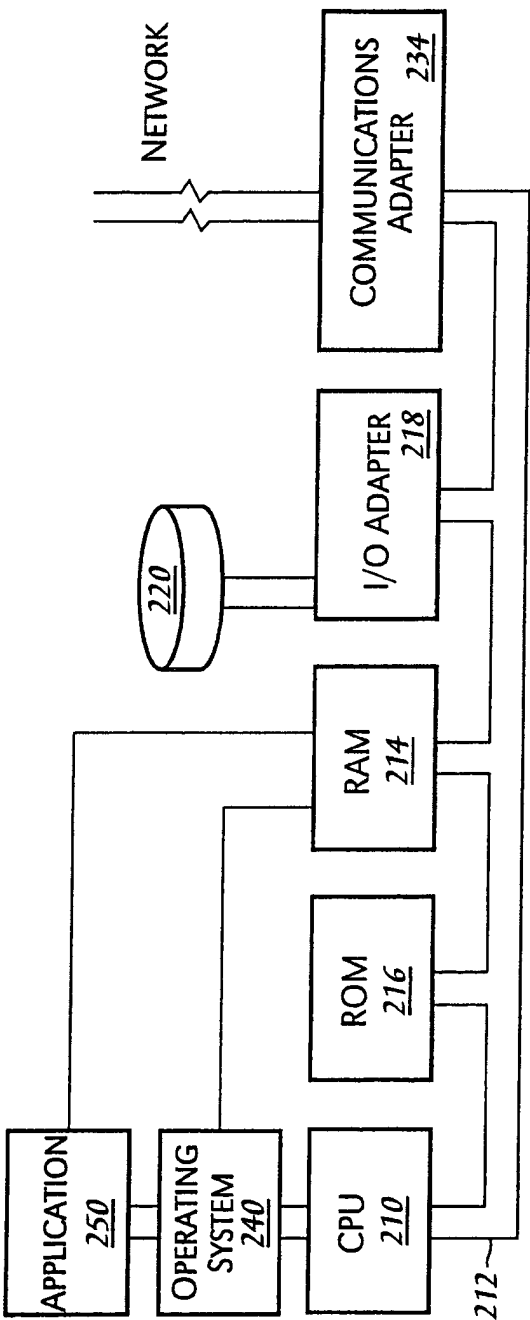
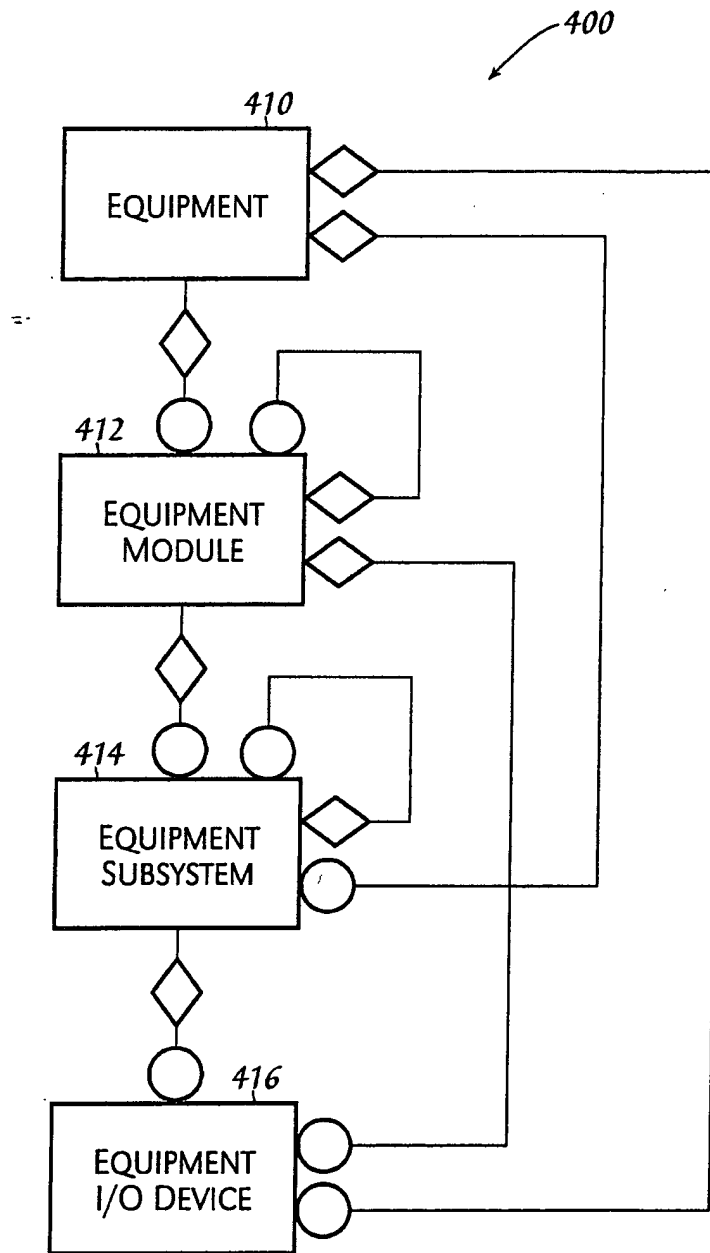


Fig. 2

**Fig. 4**

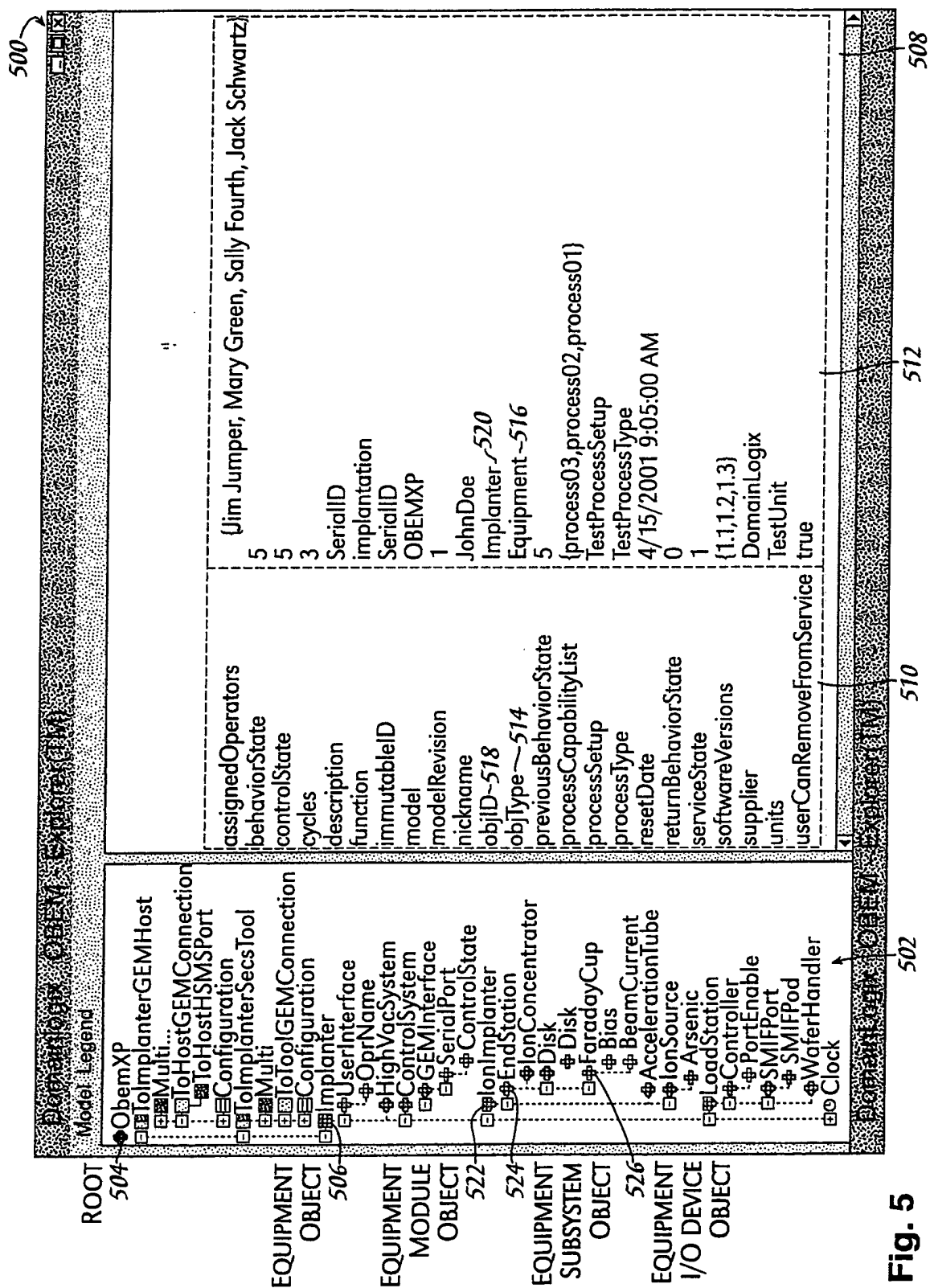


Fig. 5

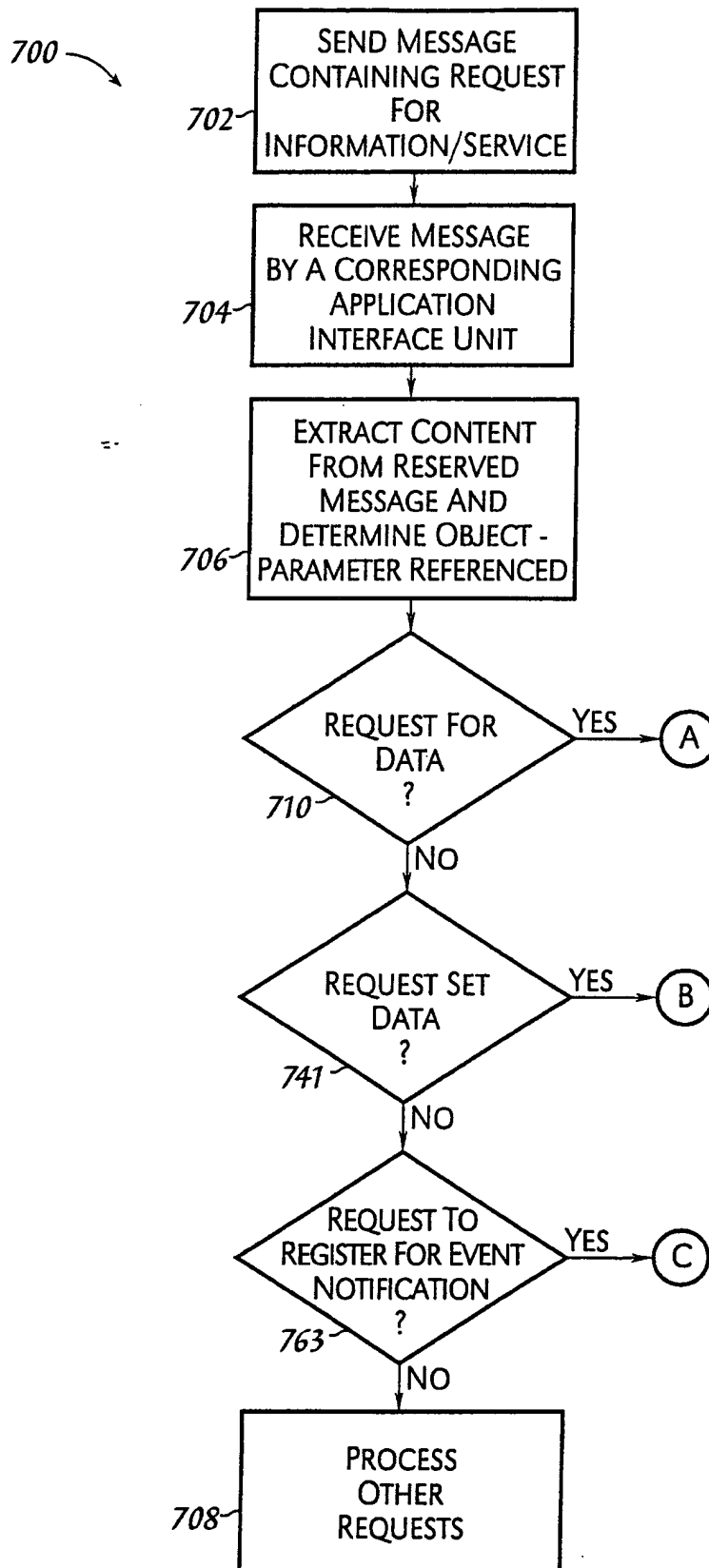


Fig. 7

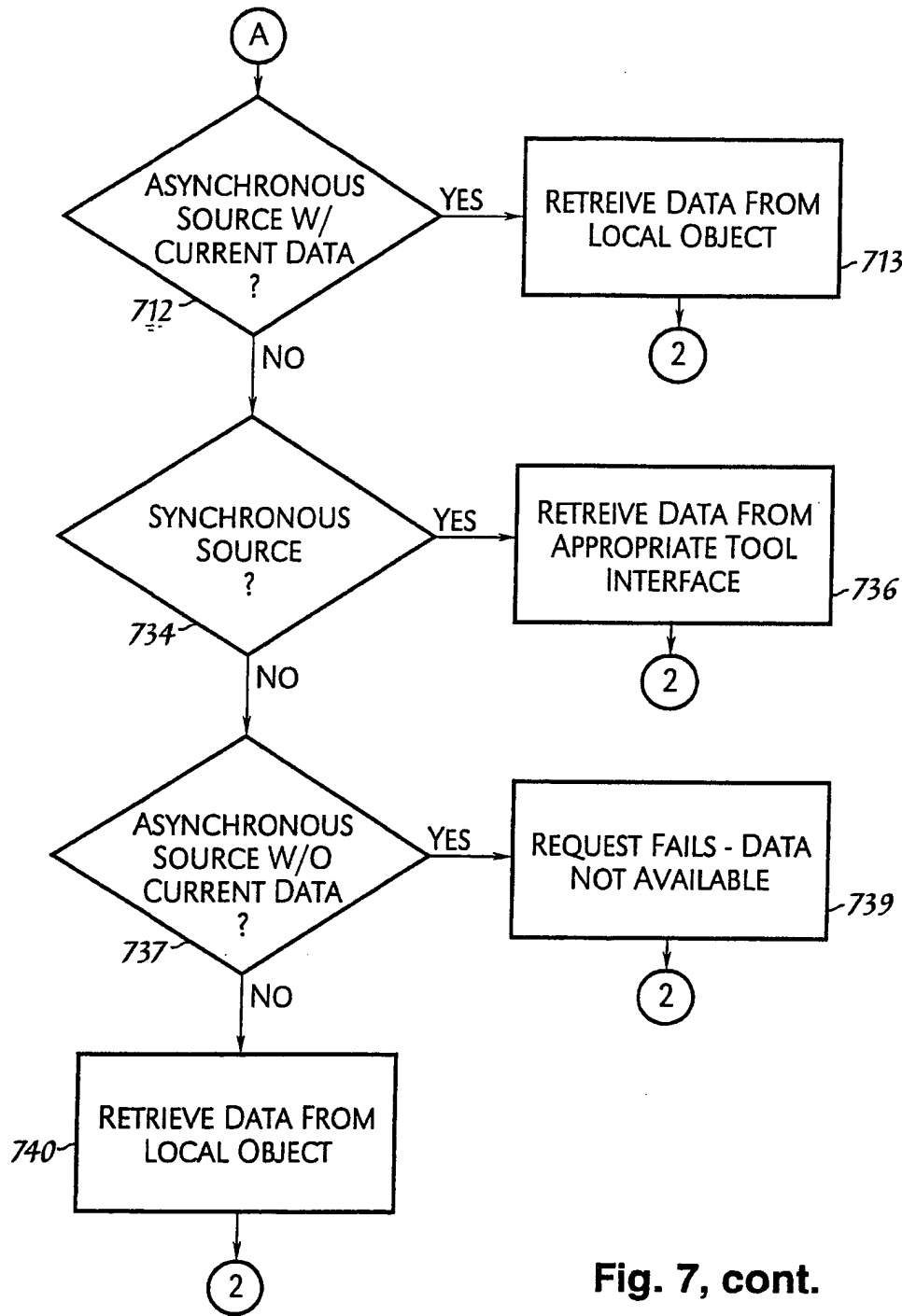
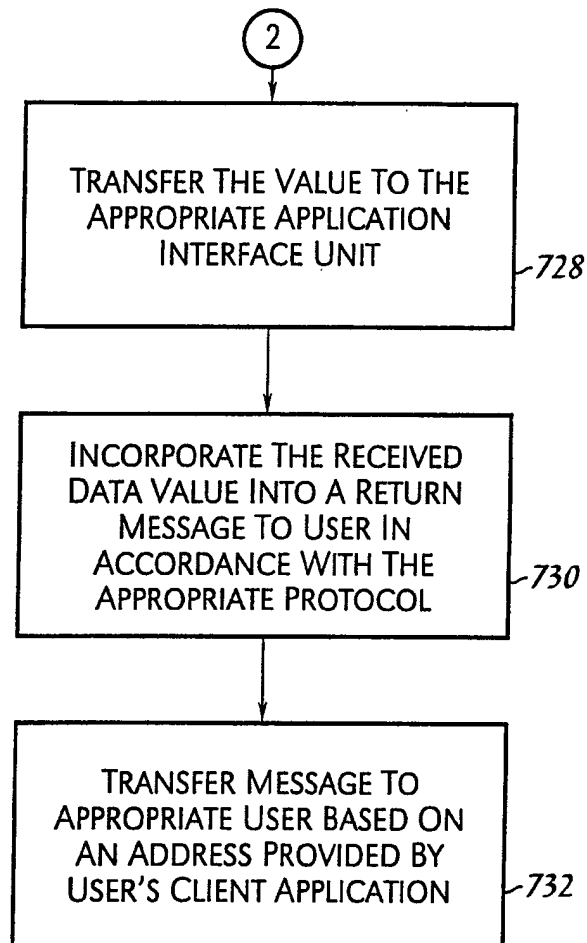


Fig. 7, cont.

**Fig. 7, cont.**

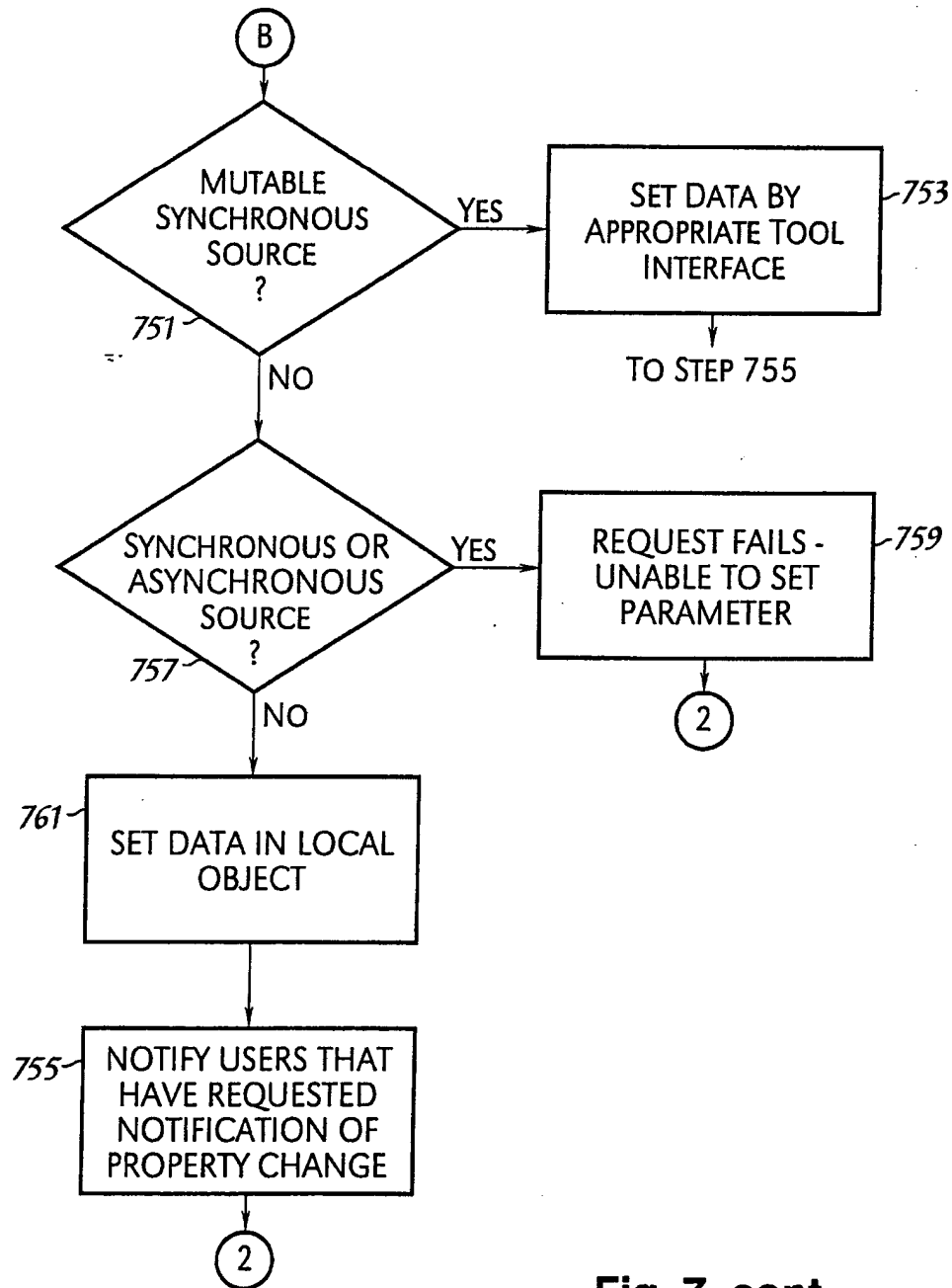


Fig. 7, cont.

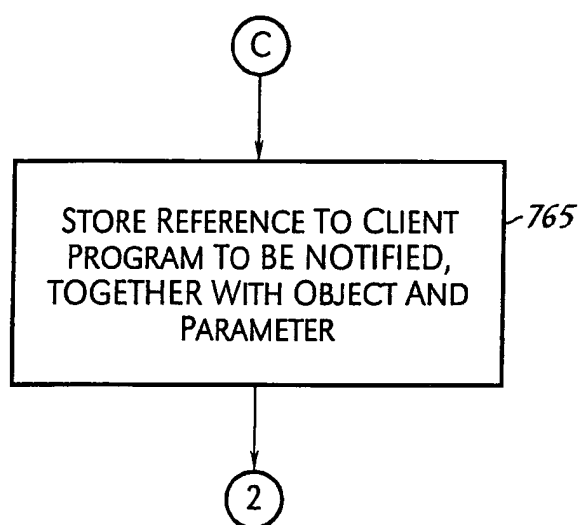
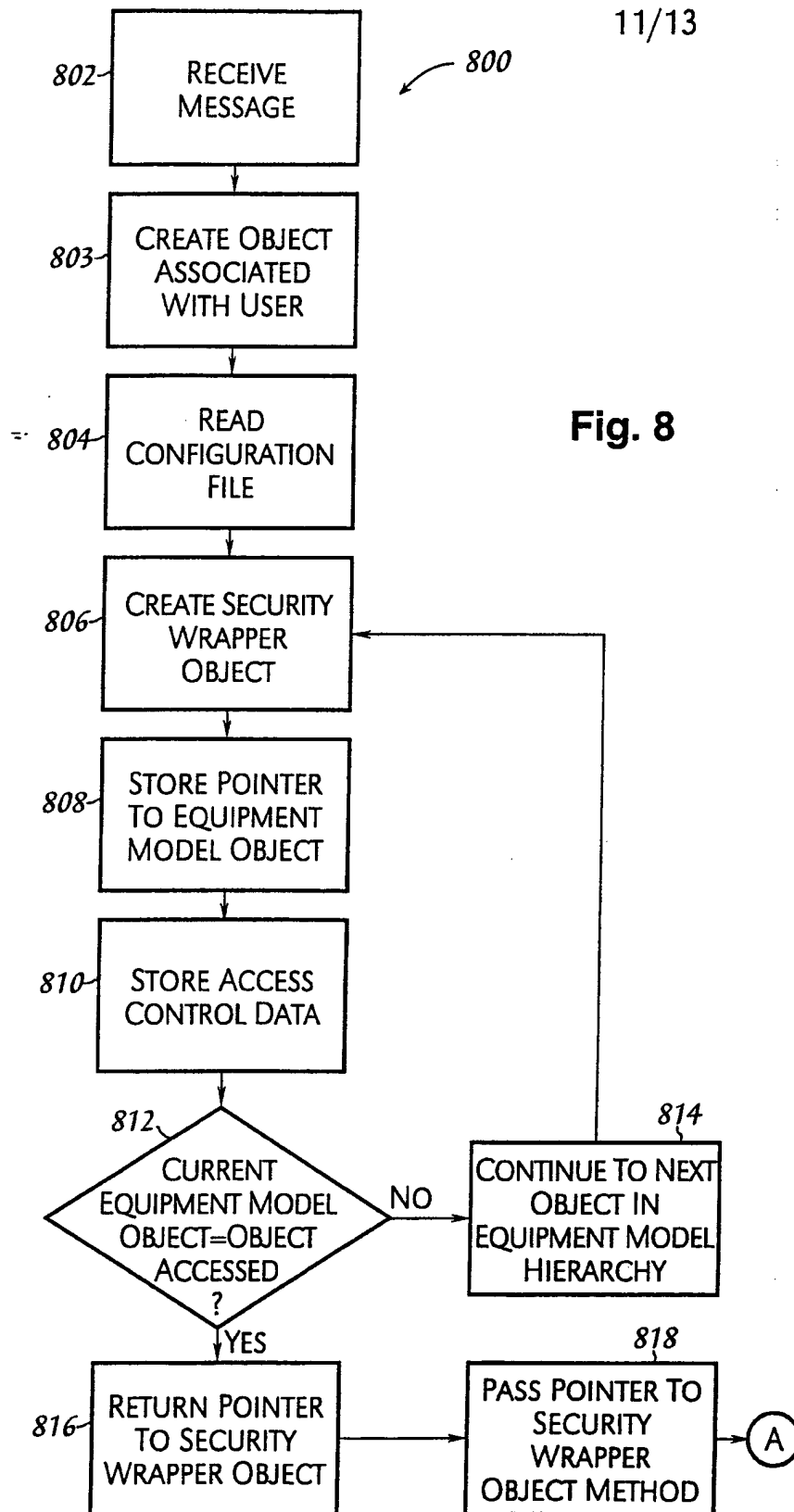


Fig. 7, cont.



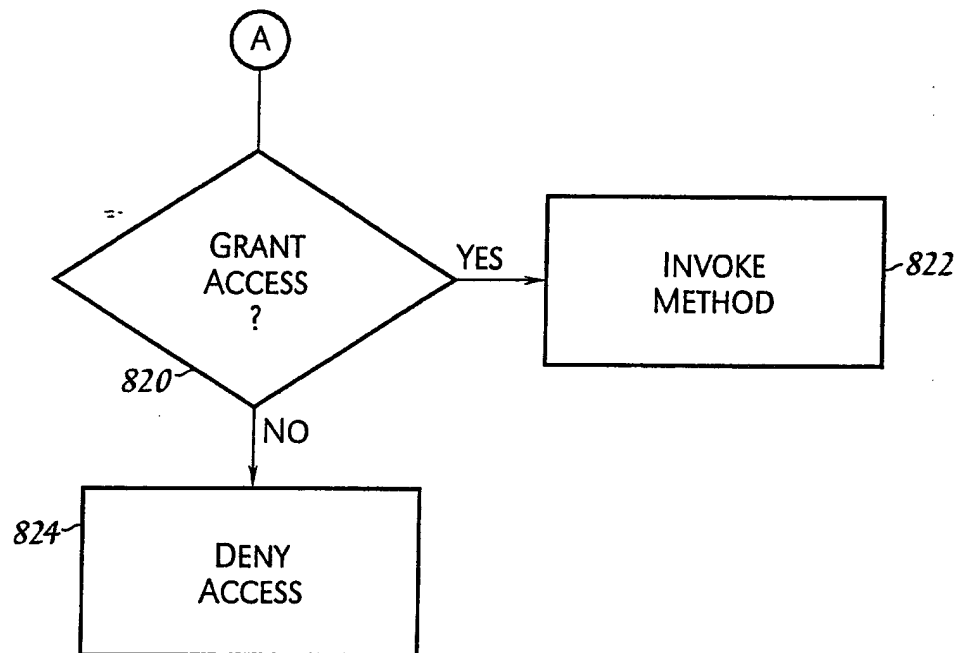


Fig. 8, cont.

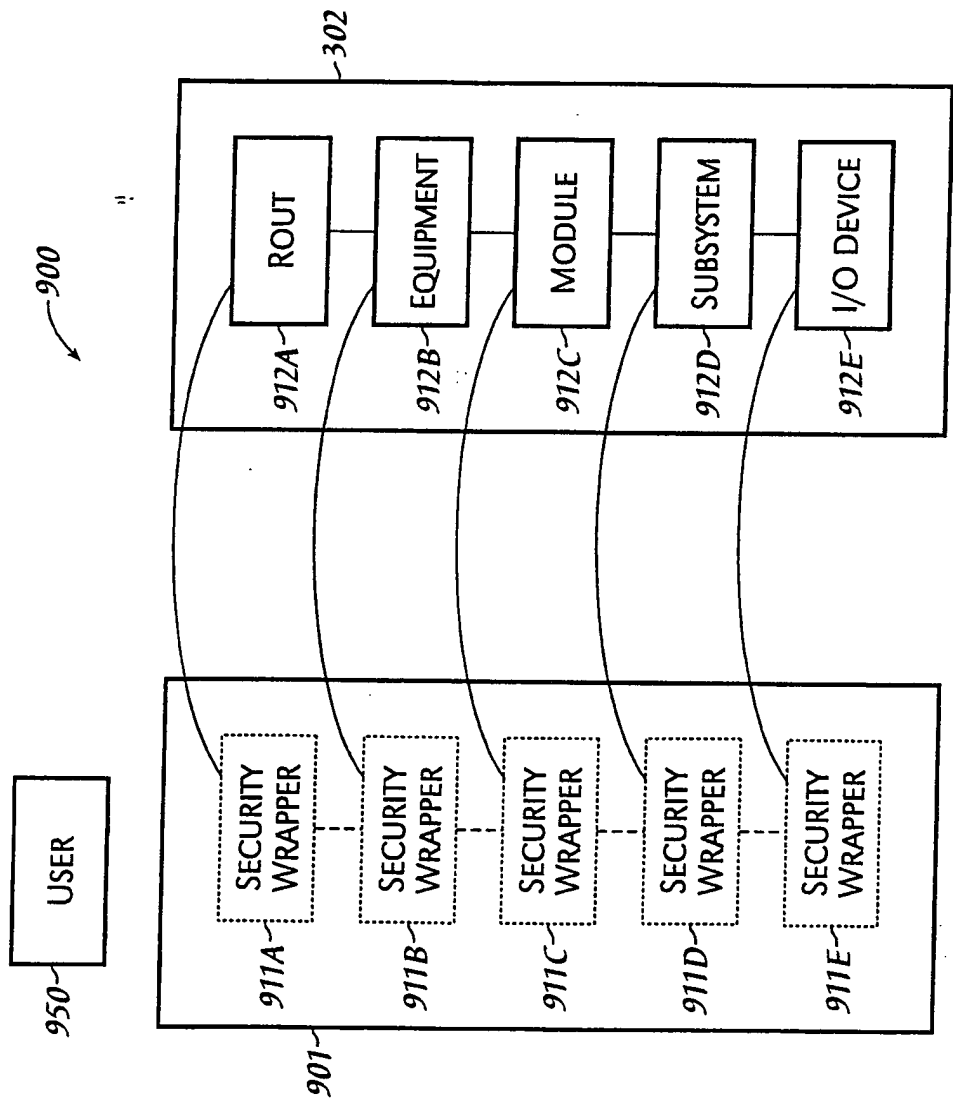


Fig. 9